

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No. 231 of 2017
Date of Decision: March 20, 2017

Rajiv ...Petitioner
Versus

State of Haryana & others ...Respondents

**CORAM: HON'BLE MR. JUSTICE M. JEYAPPAUL.
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASHI**

Present: Mr. K.S.Sodhi, Advocate
for the petitioner.
Mr.Ashok Muthreja, DAG, Haryana.

M.JEYAPPAUL, J.(ORAL)

Writ petitioner has challenged the rejection of his plea for house repair parole.

Plea of the petitioner seeking house repair parole was rejected on the ground that there was some possibility for the writ petitioner to abscond during the period of parole. It was also observed in the impugned order that he may commit other offences as well.

In the reply filed by the State, it has been stated that his parents and brother are in the village who are capable of getting the house repaired.

Heard the submissions made on either side.

We find that the writ petitioner has no other criminal antecedents. Under such circumstances, the State has not produced any material to demonstrate that the writ petitioner has the propensity to commit other offences in the village. It is an admitted position that the writ petitioner was released on furlough and thereafter he surrendered on time in

jail. Therefore, the observation made in the order that there was possibility for his abscondence does not have any legs to stand upon.

Instead of releasing of petitioner for 4 weeks' parole, we have proposed to release him for 15 days so that he may mingle with his relatives and villagers which would help the petitioner to reform himself. Further, he will have the satisfaction that he has contributed something to his family by renovating the house.

In view of the above, petitioner is ordered to be released on 15 days parole w.e.f. 24.03.2017 to 07.04.2017 to the satisfaction of the District Magistrate, Karnal and also subject to the compliance of the mandatory rules and regulations. He shall surrender before the jail authorities on 08.04.2017 at 10.00 AM.

The writ petition stands disposed of accordingly.

(M. JEYAPPAUL)
JUDGE

(AUGUSTINE GEORGE MASIH)
JUDGE

March 20, 2017

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Whether speaking/reasoned: Yes

Whether Reportable: No